

Agricultural Marketing Service
Office of the Deputy Administrator for Marketing Programs
Fruit and Vegetable Programs
PACA Branch
Regional Office
GS-303-7
Marketing Assistant (Office Automation)

Standard Job FV67

I. INTRODUCTION

The PACA Branch administers the Perishable Agricultural Commodities Act (PACA) which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce, and the Produce Agency Act (PAA) which prohibits the unlawful destruction of perishable farm products.

The incumbent serves as a Marketing Assistant responsible for performing a variety of technical support duties associated primarily with the processing of reparation complaints.

II. DUTIES AND RESPONSIBILITIES

Receives and logs-in informal reparation complaints filed in the Regional Office. Reviews correspondence and exhibits to determine if complainant has met all initial requirements under the PACA to establish a legitimate complaint. Advises the complainant as to whether the requirements have been met, and, if not, the additional documentation needed.

Researches files and material submitted by the complainant to compile pertinent information regarding complaints such as the names, addresses, and license status of the parties involved and dates of transactions associated with the complaint. Records and updates information regarding complaint in the Branch database in accordance with established procedures and guidelines.

Advises trade members involved in disputes of their rights and responsibilities under the PACA.

Prepares correspondence for the signature of the Regional Director or his/her designee to the parties involved to establish informal complaints and identify the nature of disputes. Correspondence consists of acknowledgement letters to complainants; first and follow-up letters to respondents; letters to third parties (brokers); letters to complainants regarding the filing of formal complaints; and letters to complainants returning deficient complaints for additional information/documentation. Contacts complainants and/or respondents by telephone, if necessary, to discuss matters related to complaints and to obtain all required information.

On all but the most complex cases as determined by the supervisor, attempts informal resolution of complaints with involved parties at all stages of the informal/formal reparation process.

Receives and reviews complaints not resolved in the informal stage to determine whether the requirements for processing in the formal stage have been met. Based on a thorough knowledge of the statutory provisions of the PACA as it relates to the filing of informal and formal complaints assures that: the correct legal parties are listed; the commodities involved are subject to the Act; the statute of limitations on the alleged violation(s) has not expired; all supporting documents as exhibits relating to the transaction are included; interstate or foreign movement of product is properly supported; damage claims are supported by invoices, bills of lading, or other pertinent documents showing how damages were calculated; damages are mathematically correct; and, that the complaint is properly notarized, signed and dated. Formal complaints require an in-depth review of all documentation and differ as to the type of transaction(s) involved. Some formal complaints are based on no-pay situations while other complex complaints involve damages based on accountings, market news reports and market decline. The incumbent must be familiar with all types of transactions in order to properly review the formal documents and establish formal complaints.

Assures that formal reparation complaints are complete and meet legal sufficiency. Serves on the appropriate parties copies of complaints, answers, and other filings received in the Regional Office during the processing of documentary procedure and oral hearing cases. Reviews documents filed in formal cases to determine the next step in the process as required by the applicable Rules of Practice. Forwards each case file to Headquarters for subsequent referral of the case file to the Office of General Counsel. Records and updates all steps in the formal handling process in the Branch database.

Assists Marketing Specialists in trip preparation by researching license, reparation complaint, and violator files in the geographic area where travel is to be conducted and identifies items of interest to the Specialists. Compiles and summarizes significant information in organized format and briefs Specialists.

Compiles data and prepares monthly status report of activity in the Regional Office. Correlates all information received for summary data on case workload to assist Regional Director in his/her overview of workload activities.

Employee performs a full range of administrative support functions as specified by the Regional Director, such as time and attendance, travel vouchers, monthly reports, procuring and controlling inventory of office supplies, maintaining a log of checks received, and/or processing of accounts payable.

Adheres to Equal Employment and Civil Rights policies, goals and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of other employees and clients are respected and valued.

III. FACTORS

A. Knowledge Required by the Position:

Knowledge of the rules, regulations, policies, and precedents of the Branch regarding licensing requirements, informal and formal reparation complaints, and disciplinary complaints as they relate to the technical support duties of the position.

Good working knowledge of the fruit and vegetable industry including but not limited to prevailing trade terms, customs pertinent to the various major commodities, that is, the areas of the country that have commercial production, and the seasons of growing and harvesting for those production areas.

Skill in examining complex documents submitted by industry members in order to determine appropriate action if necessary, respond to the proper parties with accurate information, and make recommendations as to disposition. These documents include, but are not limited to invoices, bills of lading, brokers memoranda of sale, written contracts or statements of company policy, and other business records common to the fruit and vegetable industry.

A thorough working knowledge of the Branch's automated database is required in order to enter, maintain, access, and utilize complaint, license files, and other data in accordance with established procedures and guidelines.

Skill in operating an electric typewriter and a micro-computer for word processing and related functions to prepare own correspondence when necessary and to prepare information for dissemination to marketing specialists. A qualified typist is required.

B. Supervisory Controls

The incumbent is under the technical and administrative supervision of the Regional or Assistant Regional Director who provides the ongoing work assignments in terms of objectives, priorities, and deadlines. The incumbent works with a minimum of supervision and handles all but the most complex issues and matters that arise. The supervisor evaluates completed work appropriateness, effectiveness in achieving desired results, and conformance to established policy.

C. Guidelines

Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies and procedures. Guidelines also include USDA and court precedent decisions involving contracts, agency, and fair trade practice, as well as bankruptcy laws and various State laws. The incumbent interprets and applies the guidelines to a variety of different situations. The employee adapts the guidelines to specific cases and one-of-a-kind situations. New interpretations and adaptations are discussed with the supervisor or higher graded marketing specialist prior to application.

D. Complexity

The incumbent is exposed to the range of casework in the office. The incumbent must have sufficient knowledge to determine the state at which the file or case requires intervention by the supervisor. The interpretations made by the incumbent require extensive review and knowledge of various documents and procedures common to the industry. In some instances, the determinations are based on considerations of more than one law, and familiarity with all aspects of the fruit and vegetable industry.

E. Scope and Effect

The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and in some cases, the rights of fruit and vegetable traders to engage in business can be affectedly decisions rendered.

F. Personal Contacts

Contacts include, in addition to Branch and Fruit and Vegetable Program employees, members of the fruit and vegetable industry and their attorneys; attorneys in the Office of General Counsel; and USDA, Federal and State employees. Contacts with the public are sometimes made under adverse conditions, and the incumbent may encounter hostility and occasional aggressive behavior from individuals subject to sanction under the law.

G. Purpose of the Contacts

The purpose is to obtain information and documentation for reparation complaint handling, advise trade members of possible violations of the Act, to advise as to rights and responsibility under the Act, to expedite formal reparation proceedings, and to advise on status of reparation complaints.

H. Physical Demands

The work is primarily sedentary. This may be some walking, standing, bending and carrying of light items such as books and files.

I. Work Environment

The work is performed in an office setting.